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Southern Nevada Glaziers and Fabricators Pension Trust Fund*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \* \* \*

BOARD OF TRUSTEES OF THE  
SOUTHERN NEVADA GLAZIERS AND  
FABRICATORS PENSION TRUST FUND,

Plaintiff,

vs.

SUN PACIFIC GLAZING, INC., a California  
corporation; AMERICAN CONTRACTORS  
INDEMNITY COMPANY, a California  
corporation; WESTERN NATIONAL  
MUTUAL INSURANCE COMPANY, a  
Minnesota corporation; JOHN DOES I-XX,  
inclusive; and ROE ENTITIES I-XX,  
inclusive,

Defendants.

CASE NO.: 2:22-cv-01056-JCM-NJK

**STIPULATION FOR DISMISSAL  
WITH PREJUDICE**

Date: N/A  
Time: N/A

Plaintiff Board of Trustees of the Southern Nevada Glaziers and Fabricators Pension Trust Fund ("Plaintiff") and Defendant Western National Mutual Insurance Company ("WNMIC"), each acting by and through their undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree as follows:

1. On July 5, 2022, the Plaintiff filed its Complaint in this matter to enforce terms of the Trust Acceptance and Contribution Agreement ("Contribution Agreement"), various participation agreements including the Participation Agreement with District Council 36 for the Sunkist ES Project ("Participation Agreements"), and the Master Labor Agreement with District

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Council 36 ("Master Labor Agreement") (Contributions Agreement, Participation Agreements, and Master Labor Agreement collectively the "Labor Agreements") requiring Sun Pacific Glazing, Inc. ("SPG") to remit contributions to the Plaintiff for work covered under the Labor Agreements.

2. The Complaint alleged that WNMIC issued a payment/performance bond for the Sunkist ES Project, and the Plaintiff demanded relief out of the proceeds of the bond issued by WNMIC.

3. Following the filing of the Complaint, the Plaintiff and SPG entered into a settlement agreement, which satisfied the Plaintiff's claims against WNMIC.

4. All matters asserted against WNMIC in the Complaint have been resolved and dismissal is appropriate.

5. By this Stipulation, WNMIC shall be and is dismissed with prejudice.

Dated this 14th day of September, 2022.

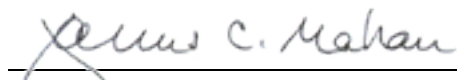
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Mutual Insurance Company*

**IT IS SO ORDERED**

  
UNITED STATES DISTRICT JUDGE

Dated: September 16, 2022

**CERTIFICATE OF SERVICE**

I am an employee of Christensen James & Martin. On the date of filing of the foregoing papers with the Clerk of Court I caused a true and correct copy to be served in the following manner:

☒ ELECTRONIC SERVICE: Pursuant to Local Rule LR IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☐ UNITED STATES MAIL: By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ OVERNIGHT COURIER: By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address.

☐ FACSIMILE: By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

**CHRISTENSEN JAMES & MARTIN**

By: /s/ Natalie Saville